

## REMARKS

### 1. Summary of Office Action

In the Office Action mailed November 5, 2004, the Examiner rejected claims 1-18 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,704,282 (Sun et al.). The Examiner objected to claim 7 for being dependent to itself.

### 2. Amendments and Pending Claims

The Applicants have amended claims 1, 3-8, 10, 13, and 16-18, and have added new claims 19 and 20. The amendments to claims 1, 3-8, 10, 13, and 16-18 include spelling out the first instance of each abbreviated term used in these claims. Now pending in this application are claims 1-20 of which claims 1, 6, 10, 13, and 16-18 are independent.

### 3. Response to §102 Rejections

As noted above, the Examiner rejected claims 1-18 as being anticipated by Sun et al. The Applicants respectfully traverse the anticipation rejection of claims 1-18 because Sun et al. does not disclose or suggest each and every element as recited in any of these claims.

In particular, Sun et al. does not teach (i) the LAC sends a message to the contact LNS, the message informing the contact LNS of the availability of the LAC for participating in load balancing, as recited in claims 1 and 13, or (ii) sending, to the contact LNS from an LAC, a message that indicates the LAC is available for participating in load balancing, as recited in claims 6, 10, and 16-18. Advantageously, sending the message to the contact LNS can eliminate delays associated with the LNS attempting to perform load balancing with an LAC that is not available for participating in load balancing.

In general, Sun et al. discloses a VPN tunnel redirection scheme between an access concentrator and a pool of network servers. Sun et al. discloses an access concentrator receiving

a call, and the access concentrator initiating a VPN tunnel to a network server within a pool of network servers. In particular, Sun et al. indicates such tunneling is configured according to AAAS or other network management or administration processor, software module, or internal database, as well as various network parameters, such as dialing number or dialed number. However, the Applicants submit that Sun et al. does not teach or suggest a message sent to a contact LNS, where the message indicates the availability of an LAC for participating in load balancing.

Because Sun et al. does not teach each and every element of claims 1, 6, 10, 13, and 16-18, Sun et al. fails to anticipate claims 1, 6, 10, 13, and 16-18 under 35 U.S.C. § 102(e). Further, because each of claims 2-5, 7-9, 11-12, 14-15, and 19-20 depend from either claim 1, claim 6, claim 10, or claim 13, Sun et al. necessarily also fails to anticipate claims 2-5, 7-9, 11-12, 14-15, and 19-20 as well.

#### **4. Response to Claim Objection**

As noted above the Examiner objected to claim 7 for being dependent to itself. The Applicants have amended claim 7 to be dependent from claim 6.

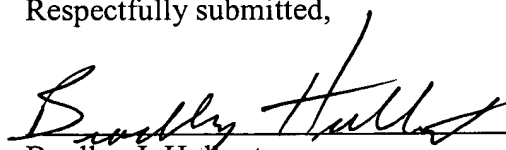
#### **5. Conclusion**

The Applicants respectfully submit that claims 1-20 are now in a condition for allowance, and respectfully request favorable reconsideration and prompt allowance of these claims. If the Examiner would like to discuss this case, the Examiner is welcomed to contact the undersigned at (312) 913-2122.

Respectfully submitted,

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